

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

NOV 16 2018

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

United States of America

*

BY

v.

*

Criminal Case No. PX-18-547

Byung Il Bang

*

REGULAR SENTENCING ORDER

(1) On or before January 4, 2019 (*not more than 40 days from the date of this order*), the Probation Officer shall provide the initial draft of the presentence report to counsel for the Defendant for review with the Defendant. If the Defendant is in pretrial detention, defense counsel may not provide a copy of the recommendations section of the presentence report to the Defendant in advance of meeting to review the presentence report, and may not leave the recommendations section of the presentence report with the Defendant once the review has taken place. The Probation Officer shall also provide the initial draft of the presentence report to counsel for the Government.

(2) On or before January 18, 2019 (*not less than 14 days from date in paragraph 1*), counsel shall submit, in writing, to the Probation Officer and opposing counsel, any objections to any material information, sentencing classifications, advisory sentencing guideline ranges, or policy statements contained in or omitted from the report.

(3) After receiving counsel's objections, the Probation Officer shall conduct any necessary further investigation and may require counsel for both parties to meet with the Probation Officer to discuss unresolved factual and legal issues. The Probation Officer shall make any revisions to the presentence report deemed proper, and, in the event that any objections made by counsel remain unresolved, the Probation Officer shall prepare an addendum setting forth those objections and any comment thereon.

(4) On or before **January 29, 2019** (*not less than 11 days from date in paragraph 2*), the Probation Officer shall file the report (and any revisions and addendum thereto) through CM/ECF.

(5) If counsel for either party intends to call any witnesses at the sentencing hearing, counsel shall submit, in writing, to the Court and opposing counsel, on or before Click here to enter a date. (*not less than 14 days before sentencing*), a statement containing (a) the names of the witnesses, (b) a synopsis of their anticipated testimony, and (c) an estimate of the anticipated length of the hearing.

(6) Sentencing memoranda are not required unless a party intends to request a sentence outside the advisory guidelines range on the basis of a non-guideline factor. If submitted, they shall be filed with the Clerk and a copy delivered to chambers on or before **February 6, 2019** (*not less than 14 days before sentencing*). Opposing or responding memoranda are not required. If submitted, they shall be delivered to chambers on or before **February 13, 2019** (*not less than 7 days before sentencing*). Copies of all memoranda must be sent to the Probation Officer. All memoranda **must comply** with Local Rule 105.3 (Limitations on Length).

(7) Sentencing shall be on **February 22, 2019 at 1:00pm.**

(8) The presentence report, any revisions, and any proposed findings made by the Probation Officer in the addendum to the report shall constitute the tentative findings of the Court under section 6A1.3 of the sentencing guidelines. In resolving disputed issues of fact, the Court may consider any reliable information presented by the Probation Officer, the Defendant, or the Government, and the Court may issue its own tentative or final findings at any time before or during the sentencing hearing.

(9) Nothing in this Order requires the disclosure of any portions of the presentence report that are not disclosable under Federal Rules of Criminal Procedure 32.

November 16, 2018
Date



Paula Xinis
United States District Judge